GOVERNMENT OF INDIA
HOME AFFAIRS
LOK SABHA

UNSTARRED QUESTION NO:4160
ANSWERED ON:28.03.2017
False Rape Cases
Jardosh Smt. Darshana Vikram

Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether the Government, in coordination with the State Governments, has taken any step on the rising trend of cases of false allegations of rape and dowry harassment, a fact expressed by several courts from time to time and if so, the details thereof;

(b) whether the Government would hold consultations with State Governments, National and State Women Commissions and other stakeholders, including public organizations to bring in suitable amendments in related laws, so as to prevent the misuse of such laws meant to empower and protect the genuinely affected women; and

(c) if so, the details thereof and present status of amendment of such laws?

Answer

MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS
(SHRI HANSRAJ GANGARAM AHIR)

(a) to(c)The Union Government attaches importance to the matter of prevention and control of crime against women including rape. However, as per Seventh Schedule, 'Police' and 'Public Order' are State Subjects under the Constitution, and as such the primary responsibility of prevention, detection, registration, investigation and prosecution of crimes, including
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crimes against women, lies with the State Government and Union Territory Administrations.
Ministry of Home Affairs had issued an advisory dated 10.07.2014 on 'measures to be taken by the States/UTs to curb the misuse of section 498-A of the India penal Code', and another advisory on 20.10.2009 on 'Misuse of Section 498-A of IPC' and advisory dated 16.01.2012 on the similar subject, which are available at www.mha.nic.in. However, amendment in criminal law is a continuous and ongoing process.

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